

[Docket No. 14]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

SAIM SARWAR,

Plaintiff,

v.

208 WHP LLC,

Defendant.

Civil No. 20-15762 (RMB/AMD)

ORDER

RENÉE MARIE BUMB, United States District Judge

This matter comes before the Court upon a second Motion for Default Judgment filed by Plaintiff Saim Sarwar (“Plaintiff”). [Docket No. 14.] On January 14, 2021, this Court dismissed Plaintiff’s first Motion for Default Judgment [Docket No. 5] as premature and vacated the Clerk’s prior entry of default as to Defendant 208 WHP LLC (“Defendant”) because Plaintiff had filed an Amended Complaint in the interim. [Docket No. 9.] Proof of service of the Amended Complaint was entered on the docket on January 14, 2021 [Docket No. 10], stating that Defendant was served with the Amended Complaint on January 7, 2021, and the Clerk entered a second entry of default as to Defendant on June 14, 2021, for failure to plead or otherwise defend. The next day, June 15, 2021, Plaintiff filed the current motion. [Docket No. 14.]

As stated in this Court’s Order to Show Cause, entered December 10, 2020 [Docket No. 7], the Court has concerns regarding whether Plaintiff has Article III

standing to bring the claims asserted in the Amended Complaint in light of precedent in this District that is directly on point. This concern is further augmented by the fact that Plaintiff filed several complaints making similar claims before other Judges in this District, many of which Plaintiff has since voluntarily dismissed. *See Sarwar v. Justin Hospitality Corp.*, Case No. 1:21-cv-311 (NLH/AMD) (Notice of Voluntary Dismissal filed March 14, 2021; case closed March 15, 2021); *Sarwar v. Renuka Hospitality LLC*, Case No. 1:21-cv-272 (NLH/AMD) (Notice of Voluntary Dismissal filed February 9, 2021; case closed February 10, 2021); *Sarwar v. 395 Washington Ave Assoc*, Case No. 2:20-cv-19349 (JMV/MF) (Notice of Voluntary Dismissal filed February 11, 2021; Notice and Order of Dismissal entered February 11, 2021); *Sarwar v. BRE ESA PROP TX 2516 Suite 100*, Case No. 2:20-cv-19346 (MCA/MAH) (Notice of Voluntary Dismissal filed March 4, 2021; Order of Dismissal With Prejudice entered March 5, 2021); *Sarwar v. Aldeb Inc*, Case No. 2:20-cv-19343 (CCC/MF) (Notice of Voluntary Dismissal filed February 11, 2021; Notice of Voluntary Dismissal With Prejudice Filed February 12, 2021; Notice and Order of Dismissal With Prejudice entered February 17, 2021); *Sarwar v. Kailas Corp*, Case No. 1:20-cv-19015 (NLH/MJS) (Notice of Voluntary Dismissal filed April 27, 2021; case closed April 30, 2021); *Sarwar v. KK&T Holdings LLC*, Case No. 1:20-cv-19013 (NLH/AMD) (Notice of Voluntary Dismissal filed January 21, 2021; case closed January 21, 2021); *Sarwar v. Sonia Hospitality Corp.*, Case No. 1:20-cv-15806 (JHR/JS) (Notice of Voluntary Dismissal filed January 22, 2021); *Sarwar v.*

Prudential Real Estate Mgmt. LLC, Case No. 3:20-cv-15760 (MAS/DEA) (Notice of Voluntary Dismissal filed January 9, 2021; case closed January 9, 2021; Order of Dismissal Without Prejudice entered January 13, 2021); *Sarwar v. Shastri Narayan Inc.*, Case No. 1:20-cv-15724 (NLH/JS) (Opinion and Order Denying Motion for Default Judgment both entered July 27, 2021; case closed September 22, 2021); *Sarwar v. Neelkanth Enterprises LLC*, Case No. 1:20-15685 (JHR/MJS) (Request for Default Judgment filed August 19, 2021); *Sarwar v. L.S.K., Inc.*, Case No. 3:20-cv-15683 (AET/TJB) (Opinion and Order Denying Motion for Default Judgment both entered September 23, 2021); *Sarwar v. Abdiel Investor LLC*, Case No. 1:20-cv-15681 (RBK/AMD) (Notice of Voluntary Dismissal filed February 17, 2021; case closed February 18, 2021; Order Dismissing Case With Prejudice entered February 26, 2021); *Sarwar v. Kartik Hospitality LLC*, Case No. 2:20-cv-15680 (MCA/MAH) (Notice of Voluntary Dismissal filed January 7, 2021; Order of Voluntary Dismissal With Prejudice entered January 7, 2021); *Sarwar v. Goldstar Group Inc.*, Case No. 1:20-cv-14681 (RBK/AMD) (Notice of Voluntary Dismissal filed November 30, 2020; case closed November 30, 2020); *Sarwar v. Aarav Hospitality One LLC*, Case No. 1:20-cv-14677 (NLH/KMW) (Notice of Voluntarily Dismissal filed December 1, 2020); *Sarwar v. Gurwicz*, Case No. 1:20-cv-14675 (CPO/MJS) (Summons on Amended Complaint issued October 12, 2021); *Sarwar v. Bipin-Seth Inc.*, Case No. 2:20-cv-12744 (JMV/JBC) (Order Denying Motion for Default Judgment Without Prejudice entered July 20, 2021; case closed July 20, 2021).

The Court, having reviewed Plaintiff's Memorandum of Law in support of his pending Motion for Default Judgment [Docket No. 14], will conduct an in-person hearing to determine whether Plaintiff has Article III standing to assert the claims set forth in the Amended Complaint in light of this Court's precedent, and at such time will also consider any legal arguments asserted by Plaintiff in good faith for extending, modifying, or reversing such precedent. Accordingly,

IT IS this **29th** day of **December 2021**, hereby

ORDERED that Defendants' Motion for Default Judgment [Docket No. 14] is **ADMINISTRATIVELY TERMINATED**; and it is further

ORDERED that within ten (10) days from the date hereof, Plaintiff shall, by filing a written submission on the docket, propose a few dates in February 2022 on which he will be ready and able to appear before this Court. Alternatively, if Plaintiff intends to voluntarily dismiss this suit, as he has done with several nearly-identical lawsuits brought in this District, he shall promptly notify the Court.

s/Renée Marie Bumb

Renée Marie Bumb

U.S. District Judge